REMARKS / DISCUSSION OF ISSUES

Claims 1, 3, 4, 6 – 12, 14, 15 and 17 – 23 are pending in the application. Claims 1 and 12 are independent.

In the present response, the claims are not amended.

35 U.S.C. §102

Under 35 U.S.C. §102(a) and (e), the Office rejects claims 1, 3, 4, 6 – 12, 14, 15 and 17 – 23 over Nakahara et al. (US 2003/0018491), hereinafter Nakahara.

Applicants submit that for at least the following reasons, claims 1, 3, 4, 6 – 12, 14, 15 and 17 – 23 are patentable over Nakahara.

For example, claim 1, in part, requires:

"*binding at least one user (P1, P2, ..., PN1) to the domain identifier (Domain_ID),*

binding at least one device (D1, D2, ..., DM) to the domain identifier (Domain_ID)."

Therefore, the claimed invention requires: (1) binding at least one user to the domain identifier and (2) binding at least one device to the domain identifier, which are two distinct elements.

In the Office Action, page 4, the Office alleged that Nakahara, paragraphs [0197] and [0200], discloses the above claimed feature. Applicants respectfully disagree.

Applicants submit that Nakahara only discloses binding a device to a domain (paragraphs [0197] – [0200]). Although Nakahara discloses that there are multiple users and multiple devices, Nakahara only discloses that the devices are bound to the domain. In contrast, the claimed invention requires that both the at least one user and the at least one device, which are two separate and distinct entities, are bound to the domain identifier.

In the Office Action, Response to Arguments section, page 3, the Office alleged that paragraph [0197] of Nakahara clearly indicates that a father and a son, two separate and distinct humans, are bound separately, and that paragraph [0194] of Nakahara clearly indicates that license management is not only checked against the functional unit {device}, but also the user's usage restrictions {user}, and thus asserted that Nakahara is quite capable of distinguishing which human user is on which device. Applicants respectfully traverse.

Applicants submit that Nakahara, paragraph [0194], recites:

"In other words, the license management unit that receives the request of the license information determines whether the function unit that requests the license information belongs to the identical user domain or not, and further determines whether it belongs to the usage restriction or not. And the license management unit that receives the request judges that the function unit that requests the license information is authorized only when the user domain of the function unit is identical to that of its own and the function unit is under the usage restriction, and permits the function unit to acquire the license information that the license management unit itself holds." (Emphasis added)

The above passage only indicates that the function unit is under a usage restriction, rather than that there are user's usage restrictions.

Nakahara, paragraph [0197], recites:

"For example, even if someone connects an unauthorized terminal device located outside of the home network 300 to the home network 300 to acquire license information, he cannot acquire the license information because the terminal device does not belong to the identical user domain. Also, if different usage restrictions are put on a content usage device 1 for a father's usage and a content usage device 2 for his son's usage within the home network 300, these content usage devices can be classified so that the son cannot acquire the license information on the

<u>content usage device 2 though his father can acquire it on the content
usage device 1</u>." (Emphases added)

Clearly, from the above passage, there are two content usage devices for two
users: a content usage device 1 for the father and a content usage device 2 for the
son. Nakahara discloses that the father uses content usage device 1 to acquire the
license information but the son cannot use content usage device 2 to acquire the
license information. However, Nakahara does not disclose whether the father can use
content usage device 2, or whether the son can use content usage device 1.
Therefore, it can only be inferred that the usage restrictions is tied to a content usage
device, since Nakahara only discloses that there are usage restrictions put on a
content device 1 and different usage restrictions put on a content device 2. There is
no disclosure that the system of Nakahara is capable of distinguishing which user is
on which device. Nakahara does not disclose that the father or son are bound to the
domain identifier, but only devices 1 and 2 are bound to the domain identifier.

Applicants submit that Nakahara, paragraph [0200], discloses that the license
management unit "determines that the searcher X belongs to the user domain
identical to that of its own <u>if the function unit ID of the searcher X is registered in the
domain list with reference to the list</u>" [Emphasis added]. Nakahara, paragraph [0060],
clearly indicates that <u>the function units are devices</u>, not users. That means the license
management unit only binds the function unit ID to its domain, and determines
whether the searcher using the function unit belongs to its domain based on the
function unit ID registered in the domain list. That means the determination of
whether the user belongs to a domain is merely by the possession of the function unit
that belongs to the domain. However, a user is not bound to the domain, because any
other user who uses the same function unit will be determined as belonging to the
domain of the license management unit, and if the user switches to another function
unit with a different function unit ID, the user may be determined as not belonging to
the domain of the license management unit. Therefore, Nakahara only discloses
binding the function unit to the domain, but not binding at least one user to the domain
identifier and binding at least one device to the domain identifier, as claimed.

In view of at least the foregoing, Nakahara does not disclose each and every element of claim 1, thus Applicants submit that claim 1 is patentable over Nakahara.

Similarly, independent claim 12, in part, requires:

"*means for binding at least one user (P1, P2, ..., PN1) to the domain identifier (Domain_ID),*

means for binding at least one device (D1, D2, ..., DM) to the domain identifier (Domain_ID)."

Since claim 12 contains at least the similar distinguishing features as in claim 1, Applicants essentially repeat the above arguments for claim 1 and apply them to claim 12, pointing out why claim 12 is patentable over Nakahara.

Dependent claims 3, 4, 6 – 11, 14, 15 and 17 – 23 respectively depend from and inherit all the respective features of claims 1 and 12. Thus claims 3, 4, 6 – 11, 14, 15 and 17 – 23 are patentable for at least the same reasons discussed above with respect to each independent claim, from which they depend, with each dependent claim containing further distinguishing patentable features. Claims 5 and 16 are cancelled.

Withdrawal of the rejection of claims 1, 3 – 12 and 14 – 23 under 35 U.S.C. §102(a) and (e) is respectfully requested.

Conclusion

In view of the foregoing, Applicants respectfully request that the Examiner withdraw the objection and rejections of record, allow all the pending claims, and find the application in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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